

No. 08CR1046-H

The Court finds excludable delay, under the section indicated by check ( ☒ ), commenced on April 11, 2008 and ended on 7/7/08; ( ☐ )  
\_\_\_\_\_ and ended on \_\_\_\_\_. ( ☐ )

3161(h)

(1)(A) Exam or hrg for **mental or physical incapacity**

(1)(B) **NARA examination** (28:2902)

(1)(D) State or Federal trials or **other charges pending**

(1)(E) **Interlocutory appeals**

(1)(F) **Pretrial motions** (from flg to hrg or other prompt dispo)

(1)(G) **Transfers from other district** (per FRCrP 20, 21 & 40)

(1)(J) **Proceedings under advisement** not to exceed thirty days

Misc proc: Parole or prob rev, deportation, **extradition**

(1)(H) **Transportation** from another district or to/from examination or hospitalization in ten days or less

(1)(I) Consideration by Court of **proposed plea agreement**

(2) **Prosecution deferred** by mutual agreement

(3)(A)(B) **Unavailability of defendant or essential witness**

(4) Period of **mental or physical incompetence** of defendant to stand trial

(5) Period of **NARA commitment or treatment**

(6) **Superseding indictment and/or new charges**

(7) **Defendant awaiting trial of co-defendant** when no severance has been granted

(8)(A)(B) **Continuances** granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance

(8)(B)(I) 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.  
(**Continuance - miscarriage of justice**)

2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.  
(**Continuance - tendered a guilty plea**)

(8)(B)(ii) 2) **Case** unusual or **complex**

(8)(B)(iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days

(8)(B)(iv) 4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare  
(**Continuance re counsel**)

\_\_\_\_3161(I) Time up to **withdrawal of guilty plea**

3161 (b) ~~Grand jury indictment time extended thirty (30) more days~~

Date 4/11/08

Judge's Initials

A	
B	
C	
D	
E	
F	
G	
H	
6	
7	
I	
M	
N	
O	
P	
R	
T	
T1	
.	
	T2
	T3
	T4
	U
	W